

Doc Code: AP.PRE.REQ

PTO/SB/33 (07-05)

Approved for use through xx/xx/200x. OMB 0651-00xx

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 56924 (70551)									
		Application Number 10/049,315-Conf. #3720	Filed February 8, 2002								
		First Named Inventor Y. Sawada									
		Art Unit 2178	Examiner K. Stork								
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <table><tbody><tr><td><input type="checkbox"/> applicant /inventor.</td><td>_____ /Steven M. Jensen/ Signature</td></tr><tr><td><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</td><td>_____ Steven M. Jensen Typed or printed name</td></tr><tr><td><input checked="" type="checkbox"/> attorney or agent of record. Registration number 42,693</td><td>_____ (617) 517-5531 Telephone number</td></tr><tr><td><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____</td><td>_____ July 9, 2007 Date</td></tr></tbody></table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>				<input type="checkbox"/> applicant /inventor.	_____ /Steven M. Jensen/ Signature	<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	_____ Steven M. Jensen Typed or printed name	<input checked="" type="checkbox"/> attorney or agent of record. Registration number 42,693	_____ (617) 517-5531 Telephone number	<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	_____ July 9, 2007 Date
<input type="checkbox"/> applicant /inventor.	_____ /Steven M. Jensen/ Signature										
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	_____ Steven M. Jensen Typed or printed name										
<input checked="" type="checkbox"/> attorney or agent of record. Registration number 42,693	_____ (617) 517-5531 Telephone number										
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	_____ July 9, 2007 Date										
<input type="checkbox"/> *Total of 1 forms are submitted.											

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Y. Sawada	CONF. NO.:	3720
U.S. SERIAL NO.:	10/049,315	EXAMINER:	K. Stork
FILED:	February 8, 2002	GROUP:	2178
FOR:	ELECTRONIC BOOK CONTENTS RECORDING MEDIUM WITH ELECTRONIC BOOK CONTENTS RECORDED THEREON, ELECTRONIC BOOK TRANSMISSION APPARATUS AND ELECTRONIC BOOK DISPLAY APPARATUS		

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REMARKS: PRE-APPEAL BRIEF REQUEST FOR REVIEW

The following remarks support Applicant's "Pre-Appeal Brief Request for Review" filed herewith in the above-referenced application. These remarks constitute no more than five pages, and are being filed with a Notice of Appeal, thereby satisfying the requirements.

Claims 1, 2, 8, 9, and 18 were rejected under 35 USC 103(a) as being unpatentable over "The Declaration of Independence A History" (hereinafter "History") in view of "Cascading Style Sheets, level 1" (hereinafter "Style"). Claims 6, 13, 15, and 17 were rejected under 35 USC 103(a) as being unpatentable over History in view of Style, and further in view of U.S. Patent Application Publication US 2002/0049833 to Kikinis. The remaining dependent claims were rejected over various combinations including the above references. These rejections are respectfully traversed.

Applicant respectfully requests review of the Final Office Action in the above-referenced application. No amendments are being filed with this request.

Applicant is filing the "Pre-Appeal Brief Request for Review" based on the following clear errors and/or omissions in the Final Office Action mailed on April 9, 2007.

First Clear Error and/or Omission in the Final Office Action:

The Examiner has made a clear error and/or omission because the History document does not teach or suggest "a body data unit and a part data unit," as recited in independent claims 1, 8, 15, 17, and 18 (see, e.g., claim 1, lines 1-2).

On page 2 of the Final Office Action of 04/09/2007, the Examiner alleged that the History document discloses "a body data unit and a part data unit." However, the Examiner has not identified any structure or function in the History document that would allegedly correspond to the Applicant's claimed "body data unit" or "part data unit."

Instead, on page 2 of the Final Office Action of 04/09/2007, the Examiner merely stated: "The part data unit is entered as an object separately from the body data unit (page 1: Here the data to be displayed is contained between tags. This data is part data and is separate from the body data that merely discloses the formatting for part data)."

However, the History document discloses various elements appearing inside the <BODY> and </BODY> tags, including both display content and formatting data (see page 1 of the History document, as cited in the Final Office Action of 04/09/2007).

The Examiner simply has not identified what is considered a "body data unit" and a "part data unit" in the History document.

Second Clear Error and/or Omission in the Final Office Action:

The Examiner has made a second clear error and/or omission at least because the Style document, whether taken alone or in combination with the History document, does not teach or suggest a body data unit that "includes no data to be actually displayed on the display region," as recited in independent claims 1, 8, 15, 17, and 18.

On page 3, third paragraph of the Final Office Action of 04/09/2007, the Examiner admitted that the History document does not teach or suggest a body data unit that "includes no data to be actually displayed on the display region."

The Style document was cited allegedly to remedy at least this deficiency of the History document. In particular, the Examiner alleged that in Style, "the style sheet data (body data) does not contain any data to be actually displayed on the screen, instead it references the part data, via a file name, which is rendered, in accordance to the style sheet, for display)" (page 3, last full paragraph of the Final Office Action of 04/09/2007).

It appears that the Examiner is interpreting "body data" in the Style document as referring **only** to a style element, for example, the following line of HTML code:

```
<P STYLE="color: green">
```

If combined with the History document, the STYLE element of the Style document would necessarily be included inside the <BODY> and </BODY> tags, as all such content appears between these tags in the History document.

Therefore, there would be no teaching or suggestion in the proposed combination of the History document in view of the Style document of a body data unit and a part data unit, where the body data unit "includes no data to be actually displayed on the display screen" *as claimed*.

Third Clear Error and/or Omission in the Final Office Action:

The Examiner has made a third clear error and/or omission at least because one of ordinary skill in the art would understand that body data is not limited to only a particular style element, but rather encompasses all elements appearing between the <BODY> and </BODY> tags.

For example, in basic HTML programming, the "BODY" of an HTML document is described as the information appearing between the <body> tag and its corresponding end tag (see document titled "A Beginner's Guide to HTML," which was previously cited by Applicant in an IDS).

In other words, the "body data" in the Style document must include all elements appearing inside the <BODY> and </BODY> tags, in order to be consistent with the History document, and with generally understood HTML programming code.

As such, because the "body data" includes display data in the History and Style documents, even if these references were somehow combined, there would be no teaching or suggestion of a body data unit that "includes no data to be actually displayed on the display screen" *as claimed*.

Applicant submits that all of the claims under final rejection are in condition for allowance and should be allowed, and that the Final Office Action should be withdrawn.

There is no fee required for the submission of the Pre-Appeal Brief Request for Review. However, if for any reason one or more fees are required for the entry and consideration of that Request, these Remarks, or anything else being filed herewith, the Commissioner is hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

/Steven M. Jensen/

Date: July 9, 2007

Steven M. Jensen
(Reg. No. 42,693)
Edwards Angell Palmer & Dodge
P.O. Box 55874
Boston, MA 02205

Phone: (617) 517-5531

Customer No. 21874